

Bureau..talk

Missouri Department of Health
Bureau of Home Care and Rehabilitative Standards

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THIS INFORMATION NEEDS TO BE DIRECTED TO THE MANAGEMENT STAFF OF YOUR AGENCY

This is a “Special Edition” of Bureau Talk to address a problem that has evolved into a controversial issue. That issue being **“Patient Rights”** and how patients are notified of these rights. In the March, 1999, Informational Bulletin, the Bill of Rights was discussed due to the large number of deficiencies written at that time. This problem has not been addressed effectively by many agencies and remains an issue.

The **Federal Conditions of Participation for home health agencies at 484.10** states the patient has the right to be informed of his or her rights. Agencies, prior to admitting or during the admission process, must provide the patient with written notice of these rights and must maintain documentation showing this has been done.

This Condition of Participation states the patient has the right to be informed of his or her rights. If complete patient rights are not given to the patient in a form that the patients can understand and recognize as being their rights, they have no way of knowing their complete rights, and what the agency is to do to comply with those rights. This Condition of Participation was written to ensure that patients of Medicare certified agencies are knowledgeable prior to care, knowledgeable in their rights as patients and knowledgeable in what they should expect from the agency providing their care. Therefore, during the survey process the surveyor will expect to see the **complete Patient Rights from the Condition of Participation as listed at 484.10 – G tags 101 through G116**. Please remember these rights are a condition of your participation in the Medicare program and a requirement for state licensure. Agencies may incorporate any additional agency specific information, but must not change the wording as listed in the Conditions. The identifiers, i.e. Condition / Standard numbers and G-tags, do not have to be included to make the “rights” more user friendly, but may not change the wording from the Condition.

This should no longer be an issue within your agency if you complied with the March, 1999, information sent to your agency in the form of the Informational Bulletin.

Deficiencies will be written if your agency is not in compliance with this Condition.